


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION

**IN RE: ETHICON, INC. PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY
LITIGATION**

**THIS DOCUMENT RELATES TO
ETHICON WAVE 1 CASES**

**Master File No. 2:12-MD-02327
MDL No. 2327**

**JOSEPH R. GOODWIN
U.S. DISTRICT JUDGE**

DEFENDANTS' MOTION TO EXCEED PAGE LIMITATION

Defendants Ethicon, Inc. and Johnson & Johnson respectfully request that the Court afford them leave to exceed the 20-page limitation set forth in Local Rule 7.1(a)(2), as it relates to the memoranda of law supporting their forthcoming motion to exclude the general expert opinions of Dr. Vladimir Iakovlev, M.D. As support for this motion, Defendants submit that there are many aspects of Dr. Iakovlev's opinions that are subject to detailed challenge.

Defendants do not intend to re-hash old arguments that the Court has previously rejected or to present unnecessarily verbose argument. Defendants, nevertheless, feel constrained in their ability to present all the grounds for the exclusion of Dr. Iakovlev in a 20-page brief. Because it is important to set forth these grounds in detail and the Court will benefit from a comprehensive assessment of the grounds to exclude Dr. Iakovlev, a page extension is appropriate.

Defendants would further note that, because this matter involves a "wave" of many cases, particularly detailed briefs are warranted. Moreover, unlike other cases, Dr. Iakovlev intends to provide a number of general opinions about a variety of medical devices at issue, including devices used to treat both stress urinary incontinence as well as pelvic organ prolapse.

For all of these reasons, Defendants submit that they have presented good cause for relief from the page limitation requirement and respectfully request that the Court allow them to present a 25-page brief as it relates to Dr. Iakovlev's general opinions.

Respectfully Submitted,

/s/ David B. Thomas

David B. Thomas (W.Va. Bar #3731)
Thomas Combs & Spann PLLC
300 Summers Street
Suite 1380 (25301)
P.O. Box 3824
Charleston, WV 25338
(304) 414-1807
dthomas@tcspllc.com

/s/ Christy D. Jones

Christy D. Jones
Butler Snow LLP
1020 Highland Colony Parkway
Suite 1400 (39157)
P.O. Box 6010
Ridgeland, MS 39158-6010
(601) 985-4523
Christy.jones@butlersnow.com

COUNSEL FOR DEFENDANTS